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By: **Howard County Delegation**

Introduced and read first time: January 29, 2003  
Assigned to: Health and Government Operations  
Reassigned: Ways and Means, February 4, 2003

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 18, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Howard County Board of Education - Application of the State Open**  
3 **Meetings Act - Clarification**  
4 **Ho. Co. 7-03**

5 FOR the purpose of clarifying the application of the State Open Meetings Act to  
6 certain actions of the Howard County Board of Education; clarifying that the  
7 County Board may take certain actions in a closed session in accordance with  
8 certain provisions of the State Open Meetings Act; providing for the termination  
9 of this Act; and generally relating to the clarification of the application of the  
10 State Open Meetings Act to certain actions of the Howard County Board of  
11 Education.

12 BY repealing and reenacting, with amendments,  
13 Article - Education  
14 Section 3-704  
15 Annotated Code of Maryland  
16 (2001 Replacement Volume and 2002 Supplement)

17 BY repealing and reenacting, without amendments,  
18 Article - State Government  
19 Section 10-504  
20 Annotated Code of Maryland  
21 (1999 Replacement Volume and 2002 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Education**

4 3-704.

5 (a) The County Board shall meet at least twice each month.

6 (b) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THIS  
7 SUBSECTION APPLIES TO THE COUNTY BOARD WHEN IT IS CARRYING OUT AN  
8 EXECUTIVE FUNCTION DESCRIBED UNDER TITLE 10, SUBTITLE 5 OF THE STATE  
9 GOVERNMENT ARTICLE.

10 (2) Except [for those actions authorized by subsection (c) of this section]  
11 AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, all actions of the County  
12 Board shall be taken at a public meeting and a record of the meeting and all actions  
13 shall be made public.

14 [(c)] (3) The County Board may take actions in closed session in accordance  
15 with § 10-508 of the State Government Article[, including action to close a meeting].

16 **Article - State Government**

17 10-504.

18 Whenever this subtitle and another law that relates to meetings of public bodies  
19 conflict, this subtitle applies unless the other law is more stringent.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
21 effect October 1, 2003. It shall remain effective for a period of 2 years and, at the end  
22 of September 30, 2005, with no further action required by the General Assembly, this  
23 Act shall be abrogated and of no further force and effect.